

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

KELLY MCSEAN,

Plaintiff,

v.

JESSICA LEMONS and UNKNOWN
BAINBRIDGE,

Defendants.

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No. 4:23-CV-1086-RLW

MEMORANDUM AND ORDER

This matter is before the Court for review pursuant to Rule 4(m) of the Federal Rules of Civil Procedure. For the reasons explained below, Plaintiff will be directed to provide information necessary for service on Defendants Jessica Lemons and Unknown Bainbridge.

On or about August 28, 2023, Plaintiff filed a Complaint against Jessica Lemons and Unknown Bainbridge. Plaintiff identified both Defendants as St. Francois County Sheriff's Department employees, and provided the following address for service on these Defendants: 1550 Doubet Road, Farmington, Missouri, 63640. (ECF No. 1 at 3-4). On December 7, 2023, the Court ordered both Defendants served with process, with issuance of summons and service by the U.S. Marshals Service at the address Plaintiff provided. On January 10, 2024, the U.S. Marshals Service filed a Process Receipt and Return as to both Defendants, stating that neither Defendant could be located at the address provided by Plaintiff, and neither Defendant was employed at that location.

Rule 4(m) of the Federal Rules of Civil Procedure provides:

If a defendant is not served within 90 days after the complaint is filed, the court – on motion or on its own after notice to the plaintiff – must dismiss the action without prejudice against that defendant or order that service be made within a

specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.

It is Plaintiff's responsibility to provide the information necessary for service on the Defendants. *See Lee v. Armontrout*, 991 F.2d 487, 489 (8th Cir. 1993). In consideration of Plaintiff's pro se status, the Court will give her twenty-one days from the date of this Order to provide information necessary for service on Defendants Jessica Lemons and Unknown Bainbridge. Plaintiff's failure to timely provide such information for either Defendant, or show good cause for the failure to provide such information, will result in the dismissal without prejudice of the claims against that Defendant.

Accordingly,

IT IS HEREBY ORDERED that, by **February 1, 2024**, Plaintiff shall provide address information necessary to effect service of process on Defendants Jessica Lemons and Unknown Bainbridge.

IT IS FURTHER ORDERED that if Plaintiff fails to timely provide such information for either Defendant, or to show good cause for the failure to provide such information, the Court will dismiss the claims against that Defendant without prejudice. See Rule 4(m), Fed. R. Civ. P.


RONNIE L. WHITE
UNITED STATES DISTRICT JUDGE

Dated this 11th day of January, 2024.